

COUNTY OF YORK

MEMORANDUM

DATE: September 5, 2000 (BOS Mtg. 9/19/00)

TO: York County Board of Supervisors

FROM: Daniel M. Stuck, County Administrator

SUBJECT: Application No. UP-560-00, Ferguson Enterprises, Inc.

ISSUE

Application No. UP-560-00 requests a special use permit, pursuant to Section 24.1-306 (category 14, number 3) of the York County Zoning Ordinance to allow the construction of a wholesale trade establishment with outdoor storage on approximately 10 acres of land along Mooretown Road (Route 603).

DESCRIPTION

- Property Owner: Bullifants, L.P.
- Location: East side of Mooretown Road (Route 603) approximately 3,000 feet south of the intersection of Mooretown Road and Lightfoot Road (Route 646).
- Area: Approximately 10 acres of a 195-acre parent tract
- Frontage: Approximately 500 feet on Mooretown Road
- Utilities: Public water and sewer are available
- Topography: Sloping to the east
- 2015 Land Use Map Designation: Economic Opportunity
- Zoning Classification: EO – Economic Opportunity
- Existing Development: None
- Surrounding Development:
 - North: None
 - East: None
 - South: None
 - West: None; single-family homes (James City County) across Old Mooretown Road
- Proposed Development: Wholesale trade establishment with outdoor storage

CONSIDERATIONS/CONCLUSIONS

1. As the Board may recall, this property has been the subject of three applications in the recent past – one in 1997 requesting a use permit to allow a select timber harvest; one in 1998 requesting a rezoning to eliminate proffers associated with a 1991 rezoning; and one in 1999 requesting a use permit to clear cut an 80-acre portion of the property. This application is the first to involve actual development of the land – the previous applications were submitted in expectation of commercial development. This area of the County has changed considerably since the first application was submitted in 1997 – Mooretown Road and Route 199 are complete and commercial development in the area has increased.
2. The Comprehensive Plan designates this area of the upper County as an Economic Development Priority Area and the property is zoned EO – Economic Opportunity. The applicant operates a large plumbing supply company and would like to open a wholesale sales center with an outdoor storage yard on the property. Since retail and wholesale sales centers are permitted as a matter of right in the EO district and the use permit requirement is triggered by outdoor storage, the review will focus primarily on the proposed outdoor storage yard. The applicant has provided representative pictures of some of its existing sales centers located in the area, all of which feature attractive façades. The proposed sales office and showroom will look similar to the existing buildings and should look appropriate along this important corridor. Many of the products offered for sale in the showroom are large and somewhat cumbersome and cannot easily be kept indoors; accordingly, the applicant has proposed an outdoor storage yard to store these items, which include metal and plastic pipes, shower stalls, and other plumbing equipment.
3. The applicant anticipates building the storage yard in three phases to be completed in conjunction with construction of the showroom and warehouse. Upon completion of the third phase, the storage yard will be located completely behind the showroom and warehouse, thereby reducing some of its visibility from Mooretown Road. Though the property owner has opted to sell portions of the parent tract for single, free-standing uses, the end result will be a business park-like atmosphere (see attached letter from the York County Industrial Development Authority). Section 24.1-482 of the Zoning Ordinance sets forth the standards required of business and industrial parks in the County and I am of the opinion that many of these standards are appropriate for this development. In particular, Section 24.1-482(a)(5)(a), Standards for business parks and industrial parks, Open space, screening, and landscaping standards, states “All ... outdoor storage areas shall be screened from view of all public streets or residential properties by landscaping supplemented by masonry or wooden fencing.” The sides of the applicant’s storage yard will be visible to motorists traveling along Mooretown Road and I recommend that a requirement that a landscaped evergreen screening fence be installed around the entire storage yard be included in the approving resolution. Evergreen landscaping on the outside of any fencing will help mitigate any views of the fencing and the items stored in the yard from the adjacent roadway. The applicant has indicated that the standard fence used in its existing storage yards is a galvanized steel, chain link fence capped by three strands of barbed wire. Were this property developed as a business park, this type of fencing would not be permitted and I am of the opinion that this development should not be treated any differently. Bright silver, chain link fencing will be easily visible through landscaping and will create an adverse visual effect that can be easily avoided by using an alternate type of fence material. Theft-deterrent fencing (i.e., barbed wire, razor wire, etc.) also creates an unnecessary visual blight: security systems that do not rely on such fencing are readily available.

Permitting the first business to locate along this corridor to use chain-link fencing capped with barbed wire will set a negative tone for all the succeeding businesses. Adherence to the aforementioned Zoning Ordinance standards for fencing materials in a business park will help ensure that this development sets a positive tone for the area. I have also included the option of using forest green or black vinyl-dipped chain link fencing for those portions of the storage yard that are not adjacent to the parking lot and a requirement to use a black, wrought iron style fence material (including the storage yard gate) along the parking lot area. The vinyl-dipped chain link fence will be less visible through the vegetation and offers the developer an additional, less expensive alternative to a masonry fence, although a single wrought iron style fence system would be preferred. These standards will help ensure that the proposed development promotes the improved aesthetic quality that is expected of all businesses that choose to locate along this important corridor.

4. A detailed lighting plan for the proposed outdoor storage area has not been submitted as a part of this application. In conjunction with the ongoing review of the Zoning Ordinance, the Planning Division staff has conducted extensive research on outdoor lighting and potential methods of reducing extraneous lighting. Outdoor storage yards are a prime candidate for over-lighting; in fact, were this site developed in an official "business park," Section 24.1-482(a)(4)(d) would require that "... all outside lighting on the site shall be arranged and directed to prevent objectionable glare or reflection, nuisance, or inconvenience of any kind on adjoining streets or ... developed properties. Lighting fixtures and the intensity of illumination shall be compatible with both the natural and architectural characteristics of the development." I believe that the special lighting standards are appropriate for this developing area and have included a condition that restricts the type and direction of all outdoor lighting for the storage yard. Preventing excess lighting will help ensure that the proposed use does not conflict with any other uses that may be located in the area and will help protect nearby motorists from dangerous glare. It is just as inexpensive to install proper lighting fixtures and techniques as it is to use inappropriate or obtrusive lighting on a site.
5. This parcel is near the City of Williamsburg's Waller Mill Reservoir and is within the Watershed Management and Protection Area (WMP) overlay district. The applicant will have to submit a water quality impact study prior to commencement of any construction activity on the parcel.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its August 9 meeting and, subsequent to conducting a public hearing, voted 5:0 (Mr. Semmes and Ms. White absent) to recommend approval. During the meeting, the applicant expressed a concern about whether the 25-foot buffer that staff had recommended would be necessary to buffer the storage area from the interior business park roadway. The applicant stated specifically that his proposed site plan could not accommodate the entire 25-foot buffer between the storage area and the interior business park roadway. He said he needed 10 feet of buffer eliminated to accommodate his plans. Upon recommending approval, the Commission asked staff to work with the applicant to resolve this issue prior to the Board meeting.

Staff had originally recommended a Type 25 (twenty-five-foot) buffer around the entire fenced-in storage area. However, subsequent to the Planning Commission meeting, the applicant stated that the property owner has required that a 35-foot landscaped buffer be maintained along the business park's interior roadway. Consequently, a 35-foot landscaped buffer will be implemented along the entrance

roadway to the park thereby partially screening from view the parking lot and the storage area. With this information in hand, staff determined that a full Type 25 buffer along the storage area was not needed. I believe that the 35-foot buffer along the interior road is sufficient to screen the parking lot; therefore, an additional buffer is not needed along the parking lot side of the storage area. (The applicant is willing to make the 35-foot buffer a condition of approval). However, only a mixture of evergreen plantings would be needed to screen the fence, and this has been made a condition in the resolution. It is further recommended that a Type 25 buffer be maintained along the perimeter of the property bordering the storage area, excluding along Mooretown Road where, under a by-right commercial use, the County would not require a buffer. I recommend that the existing natural vegetation in this location serve in lieu of the buffer requirement, provided, however, that it is not cleared or altered in any manner. If at such time the applicant expands the storage area into this natural buffer, the proposed conditions would require a minimum 25-foot buffer to be maintained around the perimeter of the property screening from view the storage area from adjacent properties and roadways. The applicant has agreed to these minor changes and recommendations.

The applicant had also sought relief for the condition requiring wrought iron type fencing along the parking lot side of the storage area (this is the only area where it is required). However, considering that the Zoning Ordinance requires wood or masonry type fencing for business parks (standards that were used as a guide in reviewing this application), I believe that the wrought iron style fence offers a reasonable compromise in which site security and aesthetic considerations both can be addressed, assuming adequate landscape screening is provided.

COUNTY ADMINISTRATOR RECOMMENDATION

Commercial growth along this portion of the Mooretown Road corridor has been a County priority since the 1991 Comprehensive Plan, *Charting the Course to 2010*. The first business to locate along this important corridor is arguably the most important since it sets the tone for what will be expected of succeeding businesses. Visibility of the proposed outdoor storage yard from Mooretown Road will be minimized by the placement of the showroom and warehouse and a buffer surrounding the yard. Prohibiting theft-deterrent fencing, using wrought iron style fencing in highly visible locations, and using green or black vinyl-dipped chain link fencing in the remaining locations will help set a positive tone for this new "business park." Therefore, based on the considerations outlined above, I recommend that the Board approve Application No. UP-560. This can be accomplished through the adoption of Resolution No. R00-136.

Baldwin/3495.msk

Attachments

- Excerpts of unapproved Planning Commission minutes, August 9, 2000
- Zoning Map
- Vicinity Map
- Conceptual Drawings (2)
- Memorandum from James W. Noel, Jr., Executive Director of the York County Industrial Development Authority, to Adam Kinsman, dated July 19, 2000
- Proposed Resolution No. R00-136